

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE OUTPATIENT MEDICAL CENTER
EMPLOYEE ANTITRUST LITIGATION

Master Docket No. 1:21-cv-00305-ARW-SRH

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**PLAINTIFFS' RESPONSE TO UNITED
STATES OF AMERICA'S STATEMENT
OF INTEREST**

Plaintiffs submit this response to the United States of America's Statement of Interest (Dkt. 91) pursuant to the Court's November 1, 2021 minute order (Dkt. 83).

Plaintiffs agree with the United States' position that the conduct alleged in Plaintiffs' Consolidated Amended Complaint constitutes *per se* violations of Section 1 of the Sherman Act, 15 U.S.C. § 1, including an unlawful agreement to divide the labor market and an agreement between DaVita and Defendant Doe 1 by which Doe 1 agreed not to solicit or hire DaVita's employees, regardless of whether DaVita reciprocated with respect to Doe 1's employees.

Dated: January 3, 2022

Respectfully submitted,

/s/ Dean M. Harvey

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CERTIFICATE OF SERVICE

I, Dean M. Harvey, an attorney, hereby certify that **Plaintiffs' Response to United States of America's Statement of Interest** was electronically filed on January 3, 2022, and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

Dated: January 3, 2022

/s/ Dean M. Harvey